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9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN JOSE DIVISION

13 UNITED STATES OF AMERICA,	)	CR 07-00788-LHK
	)	
14 Plaintiff,	)	STIPULATION AND <del>PROPOSED</del> ORDER
	)	SETTING BRIEFING SCHEDULE ON
15 v.	)	MOTION TO DISMISS INDICTMENT
	)	SETTING DATE FOR MOTION HEARING
16 RANDY GOLDBERG, et al.,	)	
	)	
17 Defendants.	)	
18	)	

19 The United States, through its counsel Jeff Nedrow, and defendant Randy Goldberg,  
20 through his counsel Samuel J. Rabin, Jr., hereby agree and stipulate to the following briefing  
21 schedule with respect to defendant Goldberg's motion to dismiss the indictment. The reason for  
22 this schedule is that the United States needs approximately 30 days to respond to the motion to  
23 dismiss, as its response will require the ordering and review of numerous transcripts of prior  
24 status conferences in this case. Accordingly, the parties propose the following schedule:

25 The United States shall file its opposition by February 15, 2012.

26 Defendant shall a reply if he wishes to do so by February 29, 2012.

27 The parties shall submit the matter to the Court's discretion with respect to the scheduling  
28

1 of a hearing.

2 It is so stipulated.

3 Respectfully submitted,

4 MELINDA HAAG  
5 UNITED STATES ATTORNEY

6 January 17, 2012

7 /s/  
8 JEFFREY D. NEDROW  
9 Assistant U.S. Attorney

10 January 17, 2012

11 /s/  
12 SAMUEL J. RABIN, JR.  
13 Attorney for Randy Goldberg

14 **ORDER**

15 Based on the stipulation of the parties and the facts set forth herein, and good cause  
16 appearing,

17 IT IS HEREBY ORDERED that the parties shall file their pleadings with respect to  
18 defendant Goldberg's motion to dismiss pursuant to the following briefing schedule:

19 The United States shall file its opposition by February 15, 2012.

20 Defendant shall a reply if he wishes to do so by February 29, 2012.

21 ~~The Court will schedule further hearings as appropriate upon the submission of the~~  
22 ~~pleadings.~~ The hearing on this motion is hereby set for March 21, 2012

23 at 10:00 a.m.

24 IT IS SO ORDERED.

25 Dated this 18<sup>th</sup> day of January, 2012.

26   
27 LUCY H. KOH  
28 United States District Judge